

November 5, 2003

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

In the Matter of	)	
	)	
Revision of the Commission's Rules to	)	<b>CC Docket No. 94-102</b>
Ensure Compatibility With Enhanced 9-1-1	)	
Emergency Calling Systems	)	
	)	
Amendment of Parts 2 and 25 to Implement the	)	<b>IB Docket No. 99-67</b>
Global Mobile Personal Communications by	)	
Satellite (GMPCS) Memorandum of	)	
Understanding and Arrangements: Petition of the	)	
National Telecommunications and Information	)	
Administration to Amend Part 25 of the	)	
Commission's Rules to Establish Emissions	)	
Limits for Mobile and Portable Earth Stations	)	
Operating in the 1610-1660.5 MHz Band	)	

Dear Ms. Dortch:

Pursuant to Section 1.1206 of the Commission's rules, William L. Ball, Vice President Public Policy, submits this notice in the above-captioned proceedings of an ex parte meeting on November 4, 2003 with Sam Feder, Legal Adviser, Office of Commissioner Martin. The purpose of the meeting was to discuss both the October 21, 2003 Order responding to OnStar's ex parte petition filed December 3, 2002 in Docket 94-102 and OnStar's Comments and Reply

Comments regarding the December 2002 Further Notice of Proposed Rulemaking in the above-captioned dockets.

OnStar reiterated several points in its pleadings regarding the Further Notice. Additionally, OnStar urged the Commission to consider a phase-in of the Phase II requirement for a wireless calling service of the type offered by OnStar following December 31, 2005. OnStar also noted that the Commission's use of installation or date of vehicle manufacture was an appropriate surrogate for activation in the automotive context where a telematics unit is an integrated subsystem of a vehicle which may not be sold for a number of months after manufacture.<sup>1</sup> OnStar urged the Commission to more explicitly articulate the date of vehicle manufacture as the delineation point for the relief granted in the OnStar Order. OnStar also urged the Commission to use the FNPRM as the proceeding to make generic the relief granted in the OnStar petition.

Please direct any questions regarding this matter to the undersigned.

Respectfully submitted,

William L. Ball  
Vice President, Public Policy

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C: S. Feder

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<sup>1</sup> See Commission Order released October 21, 2003 at 1 ("With the waiver, wireless licensees will not have to include OnStar analog and first generation digital telematics units *installed* in OnStar equipped vehicles prior to that date in their quarterly compliance reports, subject to the conditions specified." emphasis added)